

(A) IN GENERAL.—Notwithstanding any other provision of this section, the authorities and requirements to impose sanctions under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term “good” means any article, natural or man-made substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(E) CONDITIONS FOR REMOVAL OF SANCTIONS.—Subject to review by Congress under section 216 of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9511), the President may waive the application of sanctions under this section if the President—

(1) determines that the waiver is in the national security interest of the United States; and

(2) submits to the appropriate congressional committees a report on the waiver and the reason for the waiver.

(F) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out this section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(G) SUNSET.—The authority to impose sanctions under this section shall terminate on the date that is 5 years after the date of the enactment of this Act.

(H) DEFINITIONS.—In this section:

(1) ADMISSION; ADMITTED; ALIEN.—The terms “admission”, “admitted”, and “alien” have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.

(3) UNITED STATES PERSON.—The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person within the United States.

SEC. 1238. CONGRESSIONAL REVIEW OF WAIVER UNDER PROTECTING EUROPE'S ENERGY SECURITY ACT OF 2019.

Section 7503(f) of the Protecting Europe's Energy Security Act of 2019 (title LXXV of Public Law 116-92; 22 U.S.C. 9526 note) is amended, in the matter preceding paragraph (1), by striking “The President” and inserting “Subject to review by Congress under section 216 of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9511), the President”.

SEC. 1239. APPLICATION OF CONGRESSIONAL REVIEW UNDER COUNTERING AMERICA'S ADVERSARIES THROUGH SANCTIONS ACT.

Section 216(a)(2) of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9511(a)(2)) is amended—

(1) in subparagraph (A)—

(A) in clause (i), by inserting “(other than sanctions described in clause (i)(IV) of that subparagraph)” after “subparagraph (B)”; and

(B) in clause (ii), by inserting “or otherwise remove” after “waive”; and

(2) in subparagraph (B)(i)—

(A) in subclause (II), by striking “; or” and inserting a semicolon;

(B) in subclause (III), by striking “; and” and inserting a semicolon; and

(C) by adding at the end the following:

“(IV) section 7503 of the Protecting Europe's Energy Security Act of 2019 (title LXXV of Public Law 116-92; 22 U.S.C. 9526 note); or

“(V) section 1237 of the National Defense Authorization Act for Fiscal Year 2022; and”.

SEC. 1240. INCLUSION OF MATTER RELATING TO NORD STREAM 2 IN REPORT UNDER COUNTERING AMERICA'S ADVERSARIES THROUGH SANCTIONS ACT.

Each report submitted under section 216(a)(1) of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9511(a)(1)) relating to sanctions under section 1237 of this Act or section 7503 of the Protecting Europe's Energy Security Act of 2019 (title LXXV of Public Law 116-92; 22 U.S.C. 9526 note) shall include—

(1) an assessment of the security risks posed by Nord Stream 2, including—

(A) the presence along Nord Stream 2 or Nord Stream 1 infrastructure or pipeline corridors of undersea surveillance systems and sensors, fiber optic terminals, or other systems that are capable of conducting military or intelligence activities unrelated to civilian energy transmission, including those designed to enhance Russian Federation anti-submarine warfare, surveillance, espionage, or sabotage capabilities;

(B) the use of Nord Stream-affiliated infrastructure, equipment, personnel, vessels, financing, or other assets—

(i) to facilitate, carry out, or conceal Russian Federation maritime surveillance, espionage, or sabotage activities;

(ii) to justify the presence of Russian Federation naval vessels or military personnel or equipment in international waters or near North Atlantic Treaty Organization or partner countries;

(iii) to disrupt freedom of navigation; or

(iv) to pressure or intimidate countries in the Baltic Sea;

(C) the involvement in the Nord Stream 2 pipeline or its affiliated entities of current or former Russian, Soviet, or Warsaw Pact intelligence and military personnel and any business dealings between Nord Stream 2 and entities affiliated with the intelligence or defense sector of the Russian Federation; and

(D) malign influence activities of the Government of the Russian Federation, including strategic corruption and efforts to influence European decision-makers, supported or financed through the Nord Stream 2 pipeline;

(2) an assessment of whether the Russian Federation maintains gas transit through Ukraine at levels consistent with the volumes set forth in the Ukraine-Russian Federation gas transit agreement of December 2019 and continues to pay the transit fees specified in that agreement;

(3) an assessment of the status of negotiations between the Russian Federation and Ukraine to secure an agreement to extend gas transit through Ukraine beyond the expi-

ration of the agreement described in paragraph (2); and

(4) an assessment of whether the United States and Germany have agreed on a common definition for energy “weaponization” and the associated triggers for sanctions and other enforcement actions, pursuant to the Joint Statement of the United States and Germany on support for Ukraine, European energy security, and our climate goals, dated July 21, 2021; and

(5) a description of the consultations with United States allies and partners in Europe, including Ukraine, Poland, and the countries in Central and Eastern Europe most impacted by the Nord Stream 2 pipeline concerning the matters agreed to as described in paragraph (4).

SA 4795. Mr. SHELBY (for himself, Mr. INHOFE, Mr. WICKER, Mr. BLUNT, Mrs. CAPITO, Mrs. HYDE-SMITH, Mr. COTTON, Mr. BOOZMAN, Ms. COLLINS, Mr. KENNEDY, Ms. MURKOWSKI, Mr. CRAMER, Mr. TILLIS, and Mr. HOEVEN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE —AUTHORIZATION OF AMOUNTS FOR DEPARTMENT OF DEFENSE INFRASTRUCTURE

SEC. 1. ESTABLISHMENT OF DEFENSE INFRASTRUCTURE FUND.

There is established in the general fund of the Treasury an account to be known as the “Defense Infrastructure Fund” for the deposit of amounts to be used for improvement of the infrastructure of the Department of Defense.

SEC. 2. AUTHORIZATION OF AMOUNTS FOR REDUCTION OF BACKLOG FOR FACILITY INFRASTRUCTURE PROJECTS.

(A) IN GENERAL.—There is authorized to be appropriated to the Department of Defense \$4,000,000,000 for the Defense Infrastructure Fund, of which \$1,300,000,000 shall be available for each of the Departments of the Army, the Navy, and the Air Force, and \$100,000,000 shall be for the Defense Health Agency, to reduce the backlog of facility infrastructure maintenance projects of the Department of Defense.

(B) COMPLIANCE WITH REPAIR REQUIREMENTS.—Any project carried out with amounts authorized under subsection (a) shall comply with the requirements under section 2811 of title 10, United States Code.

(C) AVAILABILITY OF AMOUNTS.—Amounts authorized under subsection (a) shall be available for obligation until September 30, 2026.

SEC. 3. AUTHORIZATION OF AMOUNTS FOR MODERNIZATION OF TEST AND TRAINING RANGES OF DEPARTMENT OF DEFENSE.

(A) IN GENERAL.—There is authorized to be appropriated to the Department of Defense \$2,800,000,000 for the Defense Infrastructure Fund to modernize the test and training ranges of the Department of Defense, including projects included in the report required under section 2806 of the Military Construction Authorization Act for Fiscal Year 2018

(Division B of Public Law 115-91; 10 U.S.C. 222a note) for test and evaluation activities.

(b) **AVAILABILITY OF AMOUNTS.**—Amounts authorized under subsection (a) shall be available for obligation until September 30, 2032.

SEC. 4. AUTHORIZATION OF AMOUNTS FOR REMEDIATION OF PERFLUORALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES.

(a) **IN GENERAL.**—There is authorized to be appropriated to the Department of Defense \$700,000,000 for the Defense Infrastructure Fund to remediate perfluoralkyl substances and polyfluoroalkyl substances at installations owned by the Department of Defense.

(b) **AVAILABILITY OF AMOUNTS.**—Amounts authorized under subsection (a) shall be available for obligation until September 30, 2026.

SEC. 5. AUTHORIZATION OF AMOUNTS FOR DEPOT MODERNIZATION.

(a) **IN GENERAL.**—There is authorized to be appropriated to the Department of Defense \$4,325,000,000 for the Defense Infrastructure Fund for depot modernization.

(b) **AVAILABILITY OF AMOUNTS.**—Amounts authorized under subsection (a) shall be available for obligation until September 30, 2032.

SEC. 6. AUTHORIZATION OF AMOUNTS FOR AMMUNITION PLANT MODERNIZATION.

(a) **IN GENERAL.**—There is authorized to be appropriated to the Department of Defense \$2,350,000,000 for the Defense Infrastructure Fund to modernize ammunition plants.

(b) **AVAILABILITY OF AMOUNTS.**—Amounts authorized under subsection (a) shall be available for obligation until September 30, 2026.

SEC. 7. AUTHORIZATION OF AMOUNTS FOR FIFTH-GENERATION WIRELESS NETWORKING TECHNOLOGIES.

(a) **IN GENERAL.**—There is authorized to be appropriated to the Department of Defense \$2,500,000,000 for the Defense Infrastructure Fund to provide fifth-generation wireless networking technologies to installations owned by the Department of Defense.

(b) **AVAILABILITY OF AMOUNTS.**—Amounts authorized under subsection (a) shall be available for obligation until September 30, 2026.

SEC. 8. AUTHORIZATION OF AMOUNTS FOR NAVY SHIPYARD AND INFRASTRUCTURE IMPROVEMENT.

(a) **AUTHORIZATION.**—

(1) **IN GENERAL.**—There is authorized to be appropriated to the Department of Defense \$10,325,000,000 for the Defense Infrastructure Fund to improve, in accordance with subsection (b), the Navy shipyard infrastructure of the United States.

(2) **AVAILABILITY OF AMOUNTS.**—Amounts authorized under paragraph (1) shall be available until expended.

(3) **SUPPLEMENT NOT SUPPLANT.**—Amounts authorized under paragraph (1) shall supplement and not supplant other amounts appropriated or otherwise made available for the purpose described in paragraph (1).

(b) **USE OF FUNDS.**—

(1) **IN GENERAL.**—As soon as practicable after the date of the enactment of this Act, the Secretary of Defense shall make amounts appropriated pursuant to the authorization under subsection (a)(1) directly available to the Secretary of the Navy for obligation and expenditure for Navy public shipyard facilities, dock, dry dock, capital equipment improvements, and dredging efforts needed by such shipyards.

(2) **PROJECTS IN ADDITION TO OTHER CONSTRUCTION PROJECTS.**—Construction projects undertaken using amounts appropriated pursuant to the authorization under subsection (a)(1) shall be in addition to and separate

from any military construction program authorized by any Act to authorize appropriations for a fiscal year for military activities of the Department of Defense and for military construction.

(c) **NAVY PUBLIC SHIPYARD DEFINED.**—In this section, the term “Navy public shipyard” means the following:

- (1) The Norfolk Naval Shipyard, Virginia.
- (2) The Pearl Harbor Naval Shipyard, Hawaii.
- (3) The Portsmouth Naval Shipyard, Maine.
- (4) The Puget Sound Naval Shipyard, Washington.

SA 4796. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 744. PROHIBITION ON DISHONORABLE DISCHARGE OF MEMBERS OF THE ARMED FORCES FOR REFUSING TO COMPLY WITH COVID-19 VACCINE MANDATE.

The Secretary of Defense may not give a dishonorable discharge to a member of the Armed Forces solely on the basis of the refusal of the member, for religious, medical, or personal reasons, to comply with any requirement that the member receive a vaccination for coronavirus disease 2019 (commonly known as “COVID-19”).

SA 4797. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XXVIII, add the following:

SEC. 2836. PAYMENT TO ENVIRONMENTAL PROTECTION AGENCY FOR CERTAIN COSTS IN CONNECTION WITH FORMER ROCKY MOUNTAIN ARSENAL, COLORADO.

(a) **AUTHORITY FOR PAYMENT.**—

(1) **TRANSFER AMOUNT.**—

(A) **IN GENERAL.**—Notwithstanding section 2215 of title 10, United States Code, chapter 160 of such title, section 1367 of the National Defense Authorization Act for Fiscal Year 1987 (Public Law 99-661; 100 Stat. 4003), or any other provision of law, using funds described in subsection (b), the Secretary of Defense may transfer to the Administrator of the Environmental Protection Agency for use at the former Rocky Mountain Arsenal, Colorado—

(i) in fiscal year 2022, \$4,805,000 for costs associated with the involvement of the Environmental Protection Agency with the cleanup by the Department of the Army of the former Rocky Mountain Arsenal from fiscal years 2015 through 2020, after a specific accounting is provided in accordance with subparagraph (B); and

(ii) in each of fiscal years 2022, 2023, and 2024, to account for costs incurred by the Environmental Protection Agency for such cleanup in fiscal years 2021, 2022, and 2023, an amount not to exceed \$600,000, after a specific accounting is provided in accordance with subparagraph (B).

(B) **ACCOUNTING.**—Prior to the payment of amounts under subparagraph (A), the Administrator of the Environmental Protection Agency shall furnish to the Secretary of Defense a specific accounting of costs for which payment is requested.

(C) **AUTHORIZED COSTS.**—Payment of amounts under subparagraph (A) may be made only for those costs incurred by the Environmental Protection Agency for fiscal years 2015 through 2023—

(i) for providing technical assistance in accordance with the document entitled “Settlement Agreement Between the United States and Shell Oil Company Concerning the Rocky Mountain Arsenal”, effective February 17, 1989, as incorporated into the consent decree entered by the United States District Court for the District of Colorado in United States v. Shell Oil Co., Civil Action No. 83-C-2379, dated February 12, 1992 (referred to in this section as the “Settlement Agreement”); and

(ii) that are not inconsistent with the National Oil and Hazardous Substances Pollution Contingency Plan described in part 300 of title 40, Code of Federal Regulations (or successor regulations).

(2) **PURPOSE OF PAYMENT.**—The amounts authorized to be transferred under paragraph (1)(A) are—

(A) for payment to the Environmental Protection Agency for all costs that may be owed by the Department of the Army to the Environmental Protection Agency pursuant to the Settlement Agreement; and

(B) for use at the former Rocky Mountain Arsenal to allow the Environmental Protection Agency to proceed with review of cleanup documents that the Agency had suspended.

(b) **SOURCE OF FUNDS.**—The transfer authorized under subsection (a)(1)(A) shall be made using funds authorized to be appropriated for fiscal years 2022, 2023, and 2024 for Operation and Maintenance, Army for Environmental Restoration.

(c) **FINALITY OF PAYMENTS.**—The transfer authorized under subsection (a)(1)(A) constitutes final and complete payment for all costs borne by the Environmental Protection Agency arising from the Settlement Agreement for fiscal years 2015 through 2023.

SA 4798. Mr. CASSIDY (for himself, Mr. WHITEHOUSE, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. POSTSECONDARY STUDENT DATA SYSTEM.

(a) **SHORT TITLE.**—This section may be cited as the “College Transparency Act”.

(b) **POSTSECONDARY STUDENT DATA SYSTEM.**—Section 132 of the Higher Education Act of 1965 (20 U.S.C. 1015a) is amended—

(1) by redesignating subsection (l) as subsection (m); and